

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

| | | |
|-----------------------------|---|-------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| <i>Plaintiff-Appellant,</i> |) | |
| |) | |
| v. |) | No. 20-4441 |
| |) | (1:04-cr-385-LMB) |
| |) | |
| ALI AL-TIMIMI, |) | |
| |) | |
| <i>Defendant-Appellee.</i> |) | |
| |) | |

MOTION TO APPOINT CJA CO-COUNSEL

Defendant Dr. Ali Al-Timimi respectfully moves this Court to appoint attorney Thomas M. Huff as CJA co-counsel in the present appeal. In further support, the defense states as follows:

1. Attorney Huff has been counsel of record in both this Court and the U.S. District Court for the Eastern District of Virginia since November of 2014.
2. Attorney Huff argued before the District Court the defendant's *Emergency Motion for Release Pending Appeal* [Dkt. No. 465]—the subject of the present appeal—and was also the principal drafter of its supporting memorandum briefs and supplemental notices.
3. Attorney Huff was also the principal author of several of the

motions referenced in the District Court's Memorandum Opinion, including the defendant's *Renewed Motion for Acquittal on Counts 7 and 8* [Dkt. No. 432], his *Renewed Motion for Acquittal on Count 1* [Dkt. No. 445], and his *Motion for Leave to Seek a New Trial on Counts 9 and 10* [Dkt. No. 460].

4. Attorney Huff intends to remain actively involved in the appeal, and respectfully submits that he is ideally situated to do so in light of his work described above. Mr. Huff has thus far performed his legal work on a pro bono basis without the resources of a large law firm.

5. Attorney Jonathan Turley will remain CJA counsel per the Court's order yesterday [ECF No. 2], but Mr. Huff respectfully seeks appointment as CJA co-counsel.¹

¹ The defense filed a similar version of this motion with the District Court yesterday, to which Judge Brinkema responded with an order that it be forwarded to this Court. Dkt. No. 527 (District Court docket). The defense is re-filing the motion here so that it will be appropriately formatted for this Court.

Respectfully submitted,

/s/ Thomas M. Huff

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Counsel for Defendant-Appellant
Dr. Ali Al-Timimi

Dated: August 27, 2020

CERTIFICATE OF SERVICE

I certify that on August 27, 2020, I will file the foregoing document on the CM/ECF system, which will then electronically serve it on all counsel of record.

/s/ Thomas M. Huff

Thomas M. Huff

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